

Immigration - What can local governments do? Many services are required by law

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The first time a Stafford County group discussed illegal immigration, several officials looked out the window at the nearby Stafford Health Department.

The line of people seeking services snaked outside, onto the sidewalk.

Group members motioned toward the crowd. They wondered if they could reduce the amount of money the county spends on undocumented immigrants.

The short answer is: probably not.

Many agencies don't know how many of their clients are in the country illegally because they're not allowed to ask. That's the case with public schools, health departments and hospitals.

Public-assistance and rental applications typically don't include a line for "legal status" because that's discrimination or a violation of privacy or civil rights.

Social services departments are among the few agencies that deny help to those who aren't citizens, but that's for long-term welfare only.

Emergency Medicaid must be given to anyone who meets financial guidelines.

Emergency Medicaid covers women having babies and those seeking treatment after some type of trauma.

It's not limited to short-term care.

This summer, relatives of a Guatemalan man, who was believed to be here illegally, applied for emergency Medicaid after he almost drowned in the Rappahannock River. The man was in a coma and stayed at Mary Washington Hospital for about six weeks, then was flown to a hospital in his homeland.

Social services programs also help the children of illegal residents if the youngsters were born in the United States.

Regulations governing these types of long-term assistance are incredibly complicated, said Janine Sewell, director of the Fredericksburg Department of Social Services.

They get more convoluted when legal status is an issue.

But in many ways, the complexities speak to the two-sided approach the government takes to illegal immigration.

For instance, any child born in the United States is a citizen and can get food stamps if the household meets income requirements. Even if every adult in the home is in the country illegally, the child is still eligible for food stamps.

'a tough issue'

While local officials from the suburbs of Richmond to Washington look at the impact illegal immigrants have on their budgets, the reality is that it's against the law to deny them certain services.

Chesterfield County officials made that clear in an August report.

The Chesterfield Board of Supervisors asked staff to study the impact of illegal immigrants. Officials spent six months compiling a nine-page report.

The report estimated that services to illegal immigrants in 2006 cost \$1.3 million.

The real figure probably was twice that, said Becky Dickson, deputy county administrator.

The estimate didn't include education--a locality's biggest expense--and researchers never determined how many illegal residents live in Chesterfield, which is near Richmond.

But the report served a purpose, even though supervisors discovered they couldn't deny many services, no matter the cost.

"We're trying to send a message that, if there were to be stronger congressional action, perhaps those taxpayer dollars that we're spending on people who are in the country illegally could go somewhere else," Dickson said.

Officials in Spotsylvania, Stafford and Culpeper counties are looking for the same information. Their report may find the same conclusions and frustrations as Chesterfield's.

"It's definitely a tough issue," Dickson said, "because locally, there's not a lot that we can put our teeth into without changes in state and, certainly, federal law."

a dangerous notion?

The notion of not serving the public goes against the mission of some agencies, said Dr. Thomas Franck, director of the Rappahannock Area Health District.

It also could be dangerous.

"From a public-health standpoint, it would not make sense to deny care just because the person was an illegal alien," Franck said.

For instance, if someone with tuberculosis went untreated, that patient could infect others.

That has happened in schools from Northern Virginia to California. And tuberculosis isn't the only ailment being carried across the border.

Diseases that were thought to be vanquished in the United States, including typhoid, plague and even leprosy, are heading north from Mexico and Central America, according to the Federation for American Immigration Reform.

Because there are so many issues associated with illegal immigrants, MediCorp Health System, the parent company of Mary Washington Hospital, is doing the exact opposite of local officials who are looking to deny services.

The company--one of the largest in the region--has formed a committee to look into the care of illegal immigrants, said Dr. Rebecca Bigoney, a physician who directs ethics services for MediCorp.

Committee members want to make sure this segment of the population gets the same care as anyone else, she said.

Like several others interviewed, Bigoney didn't know what kind of services counties could restrict in light of state and federal laws.

"I can't imagine a locality coming to us and saying, 'We don't want you to provide whatever service it may be to a population,' " Bigoney said.

'our hands are tied'

Three politicians who have campaigned against illegal immigrants are Spotsylvania County Supervisor Chris Yakabouski, Culpeper Town Councilman Steve Jenkins and former Del. Albert Pollard of the Northern Neck.

Each has a different view about the best course of action.

Yakabouski admits there is little localities can do in light of state and federal laws.

"Obviously, our hands are tied to a certain degree," said Yakabouski, who is running for the state Senate against Edd Houck, D-Spotsylvania. "We probably have very few things that we can do."

But he believes counties have to try. That's why he pushed for Spotsylvania to join other localities to study possible actions.

If the study determines local governments can't act, Yakabouski suggests taking the issue to state and federal lawmakers.

"If you have ridiculous laws on the books, you just don't sit back and say you can't do anything about them," Yakabouski said.

Steve Jenkins has been trying to restrict services to illegal immigrants since he joined the Culpeper Town Council in July 2006. He said he doesn't know a lot about federal laws because they don't make sense to him.

"If you have individuals in your community, state and nation who are here illegally I find it difficult to understand why they should be able to access public services and funds," he said.

Pollard, who is running for the open 28th District state Senate seat, believes Virginia has done all it can to deny services to illegal immigrants. He supported a 2005 bill, which became law, that said illegal immigrants can't get local or state services--except those mandated by the federal government.

Pollard believes the focus should be on businesses--helping employers determine which workers are illegal immigrants and fining those who hire them.

Yakabouski and Jenkins, on the other hand, say local governments should continue to look at changes they can make.

"You're going to see more and more localities saying, 'Let's roll the dice, let's see what we can do to combat illegal immigration,'" Jenkins said. "It's gonna have a snowball effect."